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IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 30TH DAY OF JUNE, 1998.

BEFORE

THE HON'BLE MR. JUSTICE H.L.DATTU.

WRIT PETITION NOS. 19556-19559/1995.

BETWEEN:-

1. Shri. Basavant Konnur,
age. 14, s/o Hanumappa.
 2. Shashikanth Katti,
s/o Revansiddappa,
age. 30 years.
 3. Smt. Jayashree Anjutagi,
d/o Jakappa, age. 38.
 4. Shri. Shankreppa Baradi,
s/o Husanappa,
age. 38 years.
- ..Petitioners.

No. 1 Head Master, No. 2 and 3

Teachers and No.4 Peon at
Matushree Ramabi Ambedkar
High School, Gyangbavdi,
Near Sainik School,
Bijapur-586101.

(By Sri. Albal & Mrs. Rao., for petrs.,)

AND:-

1. The State of Karnataka,
rep.by the Secretary to
Education Department,
M.S.Bldg, Bangalore.1.
2. The Commissioner of Public
Instruction,
New Public Office,
Bangalore.2.
3. The Director (Secondary Education)
New Public Office,
Bangalore.2.
4. The Deputy Director of
Public Instruction (DDPI),

Near Anand Mahal,
Bijapur.

5. Smt. Rambai Ambedkar

High School, rep.by the
Secretary, of the Society
at Gyanbavdi, Near Sainik School,
Bijapur- 586101. ..Respondents.

(By Sri. Udayashankar., AGA for R-1 to 4)

Writ Petitions filed under Articles 226 and 227 of the Constitution of India with an affidavit praying to direct the R-1 to 4 to sanction the Pay and release the amounts from the date of Appointment of the petitioners and their joining Duty and not from the date of the orders in 1990 as per Annexures 'A' to 'D' made by the R-4 and quash his Endorsement vide Annexure-F dated 10.4.95 and etc.,

Writ Petitions coming on for Orders this day, the Court made the following:-

O R D E R

Petitioners in these writ petitions are

staff working in aided private educational institutions. They are before this court inter alia seeking directions to the respondents to accord certain service benefits including monetary benefits.

In my view, these reliefs cannot be granted by this court in view of the observations made by a Division Bench of this court in W.A.Nos.1833 to 1836/1995 disposed off on 30.5.1998.

This court while considering the issue whether the staff (Teaching and non-teaching) working in educational institutions run by private management can maintain writ petitions to claim financial aid from the State Govt. in the absence of Master and Servant relation and other incidental issues, was pleased to observe that the writ petitions filed by teaching and non-teaching staff of private educational institutions are not maintainable before this Court.

Respectfully following the observations made in the aforesaid decision, these petitions are

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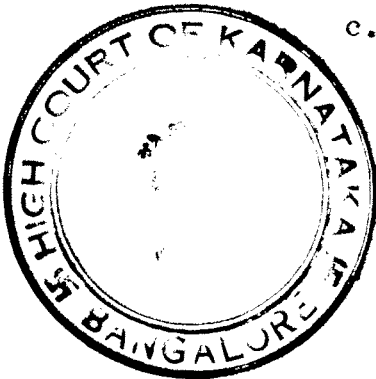
disposed off as not maintainable before this court for the reliefs sought therein. However, liberty is reserved to the petitioner to approach the proper forum as suggested by this court in the aforesaid decision. Ordered accordingly.

Sd/-Judge.

sns(o.s.)

r.by: D.

c.by: L. 29/8/99



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Assistant Registrar
High Court of Karnataka
Bangalore-560 001

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W10/9/98

